

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

6 CYRILLA BASFORD,)
7 Plaintiff,) No. CV-10-3062-JPH
8 v.) ORDER GRANTING STIPULATED
9 MICHAEL J. ASTRUE,) MOTION FOR REMAND
10 Commissioner of Social)
11 Security,)
Defendant.) (ECF No. 20)

13 BEFORE THE COURT is the parties' stipulated motion to remand
14 this case to the Commissioner for further administrative
15 proceedings (**ECF No. 20**) pursuant to sentence four. The parties
16 have consented to proceed before a magistrate judge (ECF No. 6).

17 After considering the stipulated motion (ECF No. 20),
18 **IT IS ORDERED** that the **motion is GRANTED**. The case is REVERSED and
19 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for
20 further administrative proceedings, including:

21 1. The ALJ will re-assess all of the medical evidence,
22 including the opinions of Julia Robertson, M.D., and Kathleen
23 Stewart, PAC;

24 2. Further develop the record by updating the medical
25 evidence, including obtaining any missing records from Terrace
26 Heights Family Physicians;

27 3. Re-assess fibromyalgia, lay testimony, plaintiff's

1 credibility, and RFC;

2 4. Obtain medical expert testimony;

3 5. Re-evaluate plaintiff's ability to perform her past
4 relevant work, or to do other work, at steps four and five of the
5 sequential process, obtaining additional vocational expert
6 testimony if necessary.

7 Because this remand is pursuant to sentence four with a
8 remand to the Commissioner for further proceedings (see *Melkonyan*
9 *v. Sullivan*, 501 U.S. 89 (1991)), plaintiff is entitled to
10 reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412
11 (d), upon proper request to this Court.

12 IT IS FURTHER ORDERED:

13 1. The parties' stipulated motion for an order of remand
14 pursuant to sentence four (ECF No. 20) is **GRANTED**.

15 2. Judgment shall be entered for **PLAINTIFF**.

16 3. An application for attorney fees and costs may be filed by
17 separate motion.

18 4. The District Court Executive is directed to enter this
19 Order, enter judgment for plaintiff, forward copies to counsel,
20 and **CLOSE** the file.

21 **IT IS SO ORDERED.**

22 **DATED** this 10th day of November, 2011.

23
24 _____
25 *s/James P. Hutton*
JAMES P. HUTTON
26 UNITED STATES MAGISTRATE JUDGE
27
28